

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: MDL Docket No 04-1606 VRW
DEEP VEIN THROMBOSIS ORDER
LITIGATION

This Document Relates To:

ALL WARSAW CASES

In addition to all other matters pertinent to the motions noticed for hearing on December 8, 2005, the parties should be prepared to address the following:

- (1) What is the precise rationale of the High Court of Australia's holding in Povey v Qantas Airways Ltd;
- (2) In the absence of an industry-wide practice of warning passengers of the risk of DVT, what are the implications of allowing claims against individual airlines that

1 adopted a policy of warning passengers of the risk of DVT
2 while disallowing claims against individual airlines that
3 did not adopt such a policy?; and
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5 (3) Which, if any, of the Warsaw defendants are not regulated
6 by the Federal Aviation Administration?
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9 IT IS SO ORDERED.
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12 VAUGHN R WALKER

13 United States District Chief Judge
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